

REMARKS

In the Office Action mailed December 30, 2009 the Office noted that claims 16-35 were pending and rejected claims 16-18 and 27-35 and objected to claims 19-26. Claims 16-35 have been amended, no claims have been canceled, and thus, in view of the foregoing, claims 16-35 remain pending for reconsideration, which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

ALLOWABLE SUBJECT MATTER

The Office has indicated that claims 19-26 would be in a condition for allowance if re-written in independent form. The Applicants thank the Office for the consideration given the claims and submit that the claims are allowable for the reasons discussed below.

OBJECTION TO THE SPECIFICATION

The disclosure stands objected to for informalities. In particular, the Office states that the Specification lacks section headings. The Applicant has amended the Specification in compliance with the comments of the Office. The Applicants submit that no new matter has been added by the amendment of the Specification

Withdrawal of the objection is respectfully requested.

CLAIM OBJECTION

Claim 19 stands objected to for informalities. In particular, the Office asserts that the claim contains a typographical error. The Applicants cannot find such a feature in claim 19. However, such a feature is found in claim 26 and has been amended accordingly.

Withdrawal of the objection is respectfully requested.

REJECTIONS under 35 U.S.C. § 101

Claims 27, 28 and 31-35 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular the Office asserts it is unclear whether the recording medium is a signal. The Applicant has amended the claims to recite "[a] computer-readable recording medium with a computer program recorded thereon, the computer program comprises instructions." Since the computer program is **recorded** on the computer-readable recording medium, it cannot be considered a transient signal.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 112

Claims 18 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular the Office asserts that

claim contains an antecedent basis issue. The Applicants have amended the claim to overcome the rejection.

Withdrawal of the rejection is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 16, 18, 27, 28 and 32 stand rejected under 35 U.S.C. § 103(a) as being obvious over Boneh, An Efficient Public Key Traitor Tracing Scheme, Advances in Cryptology - Crypto '99, in view of Matsumoto, Public Quadratic Polynomial-Tuples for Efficient Signature-Verification and Message-Encryption, Advances in Cryptology, Eurocrypt '88. The Applicants respectfully disagree and traverse the rejection with an argument.

On page 7 of the Office Action, the Office acknowledges that Boneh does not explicitly disclose "during decryption of said broadcast data, all the decoders apply at least one same second secret cryptographic function identical to said first function or its inverse, each decoder having recourse for this purpose to a mathematical description of said second function recorded in a memory," as in claim 16, however asserts that Matsumoto, page 422, S2-1 and S3 does.

Matsumoto does not disclose a plurality of decoders each having an exclusive mathematical description for defining the same cryptographic function.

Matsumoto merely discloses that a cryptographic function can be composed of a series of functions. There is no

disclosure that the same cryptographic function may be defined by a number of different mathematical descriptions, nor does the document disclose that a number of decoders each have recourse to a different mathematical description for describing the same cryptographic function as required by the claim.

On page 6 of the Office Action, it is asserted that Boneh, pages 338-339 and the Introduction ¶¶ 1-3 disclose "during the application of the second function the mathematical description of this second function, to which each decoder has recourse, is different from one decoder to another or from one group of decoders to another so that the mathematical description to which recourse is made exclusively identifies the particular decoder or group of decoders among all the decoders," as in claim 16.

However, as discussed in Boneh, the key itself identifies the particular decoder or group of decoders since a different private key is exclusively used for each particular decoder. Thus, Boneh does not disclose such a feature. The Office does not assert, and the Applicants have not found, that Matsumoto discloses such a feature.

Thus, Boneh and Matsumoto, taken separately or in combination, fail to render obvious the features of claims 16 and 29 and the claims dependent therefrom.

Claims 17 and 31 stand rejected under 35 U.S.C. § 103(a) as being obvious over Boneh in view of Matsumoto in

further view of Gazier, U.S. Patent No. 6,880,088. The Applicants respectfully disagree and traverse the rejection with an argument.

Gazier adds nothing to the deficiencies of Boneh and Matsumoto as applied against the independent claims. Therefore, for at least the reasons discussed above, Boneh, Matsumoto and Gazier, taken separately or in combination, fail to render obvious the features of claims 17 and 31.

Withdrawal of the rejection is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 112, 101 and 103. It is also submitted that claims 16-35 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item(s):

- ☒ - a new or amended Specification